

City of Fort Lauderdale Planning and Zoning Board STAFF REPORT
Case 12-P-05 August 17, 2005

Applicant	Hammocks at Edgewood Developers, Inc.	
Request	Vacation of Alley (MHP and RD-15)	
Location	Alley on the west side of SW 15 th Avenue north of SW 30th Street and the north side of SW 30 Street west of SW 15 th Avenue, as shown on the attached location map as Exhibit 1 .	
Legal Description	<u>Lauderwood Amended.</u> All of the 15' wide alley lying between Lots 19 and 20, Block 1, P.B., 36, P. 14., , together with <u>Lauderwood</u> A portion of a 15' wide alley lying west of Lots 1 and 2, , Block 13, , P.B. 9, P.61, and a portion of a 10' wide alley lying north of said Lot 1.	
Property Size	Area of the two alleys is approx. 3,300 sq. ft.	
Zoning	MHP and RD-15	
Existing Land Use	Public right-of-way	
Future Land Use Designation	Residential Medium High and Residential Medium	
Comprehensive Plan Consistency	Consistent with Future Land Use Element, Objective 2.	
Applicable ULDR Sections	Sec. 47-24.6, Vacation of Right-of-Way	
Notification Requirements	Sign Posting 15 days prior to meeting. Mail Notice 10 days prior to meeting.	
Other Required Approval	City Commission	
Action Required	<ul style="list-style-type: none"> Recommend Approval of the Vacation or Deny the Application. 	
Project Planner	Name and Title	Initials
	Michael B. Ciesielski, Planner II	
	Authorized By	
	Greg Brewton, Acting Deputy Planning and Zoning Director	
Approved By	Marc LaFerrier, Planning and Zoning Director	

Request:

The subject north/south and east/west alley is located in the southeast corner of a seven (7) acre site owned by the applicant. The applicant is requesting to vacate this alley so that the alley can be incorporated into a site plan for a proposed residential project. This proposed project will have one hundred and thirty-six (136) townhouses and a two thousand (2,000) square foot community recreation center.

The vacation request was approved by the Property and Right-of-Way Committee at its March 17, 2005 meeting with the condition that the applicant receive written confirmation that the City that the proposed project would not interfere with the Water Works Project. On June 9, 2005, the City provided this no objection letter. Minutes of the Right-of-Way Committee meeting and the Water Works letter are attached as **Exhibits 2 and 3**

This request went before the Development Review Committee (DRC) at the April 26, 2005 meeting and all comments have been addressed.

The applicant has obtained letters from TECO Peoples Gas, Comcast, FP&L, and Bell South indicating their positions on this vacation request. TECO has no facilities in this area and has no objection to this request. Comcast has no objection to the request but has existing aerial plant crossing the proposed vacated area attached to the existing utility pole. FP&L has no objections to the vacation but is not willing to relinquish its rights to any easements that may exist within said area. Bell South has no objection has stated that they have no objection to this vacation request as long as an alternative 15' x 110' "Exclusive Bell South Utility Easement" is granted and is acceptable for providing service to any new or existing structure within the block radius of the existing area. Additionally, Bell South has requested that any existing facilities which currently occupy the area would need to be relocated to Bell South's satisfaction at the owner's expense.

Staff Determination:

The applicant has submitted a narrative outlining compliance with the criteria for vacation of rights-of-way as listed in Sec. 47-24.6 (included in plans package).

Staff has determined that the proposed vacation meets the criteria for vacation of right-of-way as found in Sec 47-24.6.A.4.

Should the Board approve the proposed vacation, the following conditions are proposed by staff:

1. Applicant shall grant an easement over the entire alley to all franchise utilities
2. If any relocations are required, the full cost shall be borne by the applicant and the relocation plan shall be reviewed and approved by the Engineering Department.
3. Final DRC approval.

Planning and Zoning Board Review Options:

1. If the Planning and Zoning Board determines that the application meets the criteria for vacation and recommends approval of the vacation, the recommendation shall be forwarded to the City Commission for consideration.

2. If the Planning and Zoning Board determines that the criteria have not been met, the board shall deny the application and the procedures for appeal to the city commission as provided in Section 47-26B, Appeals, shall apply.

PZ 12-P-05/MBC08-17-05